

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**FREDERICK BANKS,**

**Plaintiff,**

**v.**

**ROBERT CESSAR, et al.,**

**Defendants.**

**Civil Action No. 16-10972-DJC**

**ORDER**

**CASPER, J.**

**August 30, 2016**

In an order dated July 21, 2016, D. 4, the Court held that plaintiff Frederick Banks could not proceed *in forma pauperis* in light of the “three strikes” provision of the Prison Litigation Reform Act. See 28 U.S.C. § 1915(g). The Court directed Banks to pay the \$400 filing fee and warned him that failure to do so within 35 days would result in dismissal of the action.

The time for complying with the Court's order has expired and Banks has not paid the filing fee or otherwise communicated with the Court.

Accordingly, this action is DISMISSED WITHOUT PREJUDICE for failure to pay the filing fee.

**So ordered.**

/s/ Denise J. Casper  
United States District Judge